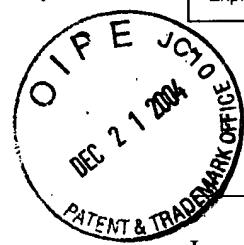


Express Mail Label No.

Dated: \_\_\_\_\_

Docket No.: 03356/0200015-US0  
(PATENT)



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Michelle Allen et al.

Application No.: 10/796,403

Filed: March 8, 2004

For: A METHOD AND DEVICE FOR PROVIDING  
A MULTI-LEVEL USER INTERFACE  
HAVING A DYNAMIC KEY ASSIGNMENT  
FOR A CELLULARLY COMMUNICATIVE  
DEVICE

Confirmation No.: 9023

Art Unit: 2173

Examiner: Not Yet Assigned

### **RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

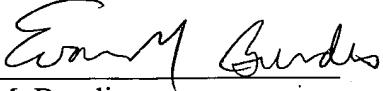
Dear Sir:

In response to the Notice to File Missing Parts of Application – Filing Date Granted mailed May 26, 2004, Applicant respectfully submits a Combined Declaration and Power of Attorney, Petition for Five Month Extension of Time, an Application Data Sheet, and Part 2 Copy of Notice.

Our check in the amount of \$4,530.00 covering the fee set forth in 37 CFR 1.16(e), 1.16(a) is enclosed. The Commissioner is authorized to charge any deficiency of up to \$300.00 or credit any excess in this fee to Deposit Account No. 04-0100.

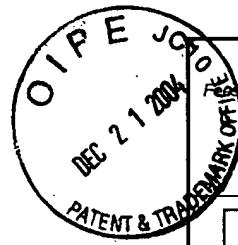
Dated: December 21, 2004

Respectfully submitted,

By   
Evan M. Bundis

Registration No.: 46,587  
DARBY & DARBY P.C.  
P.O. Box 5257  
New York, New York 10150-5257  
(212) 527-7700  
(212) 753-6237 (Fax)  
Attorneys/Agents For Applicant

Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.



*Effective on 12/08/2004.*  
Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

## FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

<b>TOTAL AMOUNT OF PAYMENT</b>	<b>(\\$) 4,530.00</b>	Attorney Docket No.	03356/0200015-US0
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### METHOD OF PAYMENT (check all that apply)

Check     Credit Card     Money Order     None     Other (please identify): \_\_\_\_\_

Deposit Account    Deposit Account Number: 04-0100    Deposit Account Name: Darby & Darby P.C.

For the above-identified deposit account; the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below     Charge fee(s) indicated below, except for the filing fee  
 Charge any additional fee(s) or any underpayment of fee(s) under 37 CFR 1.16 and 1.17     Credit any overpayments

### FEE CALCULATION

#### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

#### 2. EXCESS CLAIM FEES

##### Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent    50    25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent    200    100

Multiple dependent claims    360    180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Small Entity Fee (\$)</u>	<u>Fee (\$)</u>
45	- 20 = 25	x 50.00	= 1,250.00		

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
4	- 3 = 1	x 200.00	= 200.00	

#### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
	- 100 =	/50 (round up to a whole number)	x	=

#### 4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

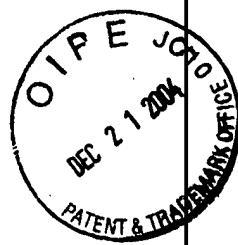
Other: 1051 Surcharge-Late filing fee	130.00
1001 Basic filing fee - (Utility filed before December 8, 2004)	790.00
1255 Extension for response within fifth month	2,160.00

SUBMITTED BY					
Signature	Evan M. Bundis	Registration No. (Attorney/Agent)	46,587	Telephone	(212) 527-7700
Name (Print/Type)	Evan M. Bundis		Date	December 21, 2004	

Express Mail Label No.	Dated: _____
------------------------	--------------

Application No. (if known): 10/796,403

Attorney Docket No.: 03356/0200015-US0



## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No.

**EV 382051764-us**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on December 21, 2004  
Date

b.w. Lee

Signature

B.W. LEE

Typed or printed name of person signing Certificate

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 pg.);  
Petition for Five Month Extension of Time (1 pg.);  
Application Data Sheet (3 pgs.);  
Response to Notice to File Missing Parts of Application (2 pgs.);  
Combined Declaration and Power of Attorney (4 pgs.);  
Part 2 Copy of Notice (2 pgs.);  
Return Receipt Postcard; and  
Check in the amount of \$4,530.00 *ck# 7088*



## UNITED STATES PATENT AND TRADEMARK OFFICE

Page 1 of 2  
*12/23/04*UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/796,403	03/09/2004	Michelle Allen	03356/0200015-US0



07278  
DARBY & DARBY P.C.  
P. O. BOX 5257  
NEW YORK, NY 10150-5257

CONFIRMATION NO. 9023

## FORMALITIES LETTER



\*OC000000012780465\*

Date Mailed: 05/26/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$536** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$1436 for a Large Entity	12/27/2004 NNGUYEN1 00000117 10796403
	01 FC:1001 790.00 OP
	02 FC:1051 130.00 OP
	03 FC:1201 200.00 OP
• \$770 Statutory basic filing fee.	04 FC:1202 1250.00 OP
• \$130 Late oath or declaration Surcharge.	

- Total additional claim fee(s) for this application is **\$536**

- **\$86** for **1** independent claims over **3**.
- **\$450** for **25** total claims over **20**.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE